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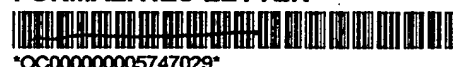
## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/746,183	12/21/2000	Fredrick K. P. Klassen	END9 2000 0102 US1

CONFIRMATION NO. 2908

## FORMALITIES LETTER

Shelley M. Beckstrand  
314 Main Street  
Owego, NY 13827-1616

Date Mailed: 02/08/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

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*A copy of this notice **MUST** be returned with the reply.*

H-T

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/21/2001 YPOLITE1 00000006 090457 09746183

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**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Docket No.

END920000102US1

Applicant(s): Frederick K. P. Klassen et al.

Serial No.

Filing Date

Examiner

Group Art Unit

9 2001 09/746,183

12/21/00

N/A

2661

Invention: **SYSTEM AND METHOD FOR DETERMINING NETWORK THROUGHPUT SPEED AND STREAMING UTILIZATION**

I hereby certify that this Declaration, Notice to File Missing Parts and Response to Notice to File Missing Parts  
(Identify type of correspondence).

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The

Assistant Commissioner for Patents, Washington, D.C. 20231 on 03/15/01  
(Date)

**Georgia Y. Brundege**

(Typed or Printed Name of Person Mailing Correspondence)

*Georgia Y. Brundege*

(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
**END920000102US1**

Re Application Of: **Frederick K. P. Klassen et al.**

Serial No.  
**09/746,183**

Filing Date  
**12/21/00**

Examiner  
**N/A**

Group Art Unit  
**2661**

Invention: **SYSTEM AND METHOD FOR DETERMINING NETWORK THROUGHPUT SPEED AND  
UTILIZATION**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
**02/08/01**  
*Date*

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ Other (list):

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
**END920000102US1**

In Re Application Of: **Frederick K. P. Klassen et al.**

Serial No.  
**09/746,103**

Filing Date  
**12/21/00**

Examiner  
**N/A**

Group Art Unit  
**2661**

Invention: **SYSTEM AND METHOD FOR DETERMINING NETWORK THROUGHPUT SPEED AND UTILIZATION**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

☒ Completion of application fees as calculated below:

☐ Utility application filing fee \_\_\_\_\_

☐ Design application filing fee \_\_\_\_\_

☐ Total number of independent claims = \_\_\_\_\_

☐ Total number of claims = \_\_\_\_\_

☐ Multiple dependent claims \_\_\_\_\_

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$130.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor \_\_\_\_\_

☐ Fee for processing an application filed with a non-English language specification \_\_\_\_\_

☐ Fee for processing and retention of application \_\_\_\_\_

Total completion of application fees **\$130.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month      ☐ Two months      ☐ Three months      ☐ Four months      ☐ Five months

from: \_\_\_\_\_ until: \_\_\_\_\_  
Date Date

Total time extension fees \_\_\_\_\_

Total fees due **\$130.00**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.  
**END920000102US1**

In Re Application Of: **Frederick K. P. Klassen et al.**

Serial No.  
**09/746,183**

Filing Date  
**12/21/00**

Examiner  
**N/A**

Group Art Unit  
**2661**

Invention: **SYSTEM AND METHOD FOR DETERMINING NETWORK THROUGHPUT SPEED AND  
UTILIZATION**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

The fee of **\$130.00** is to be paid as follows:

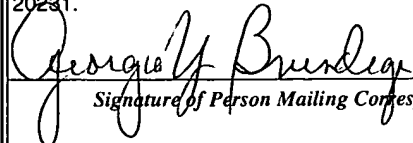
- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **09-0457**  
A duplicate copy of this sheet is enclosed.
- ☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.  
A duplicate copy of this sheet is enclosed.

  
Signature

**John R. Pivnichny, Reg. No: 43,001  
IBM Corporation, N50/040-4  
1701 North Street  
Endicott, NY 13760**

Dated: **03/15/01**

I certify that this document and fee is being deposited  
on **3-15-01** with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

  
Signature of Person Mailing Correspondence

**Georgia Y. Brundage**

Typed or Printed Name of Person Mailing Correspondence

CC: